

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

WESTERN WORLD INS. CO.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 2:05cv327-D
	)	WO
RESURRECTION CATHOLIC	)	
CHURCH, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

Now pending before the court are defendant Nichols' motion to compel production of documents (doc. # 23), defendant Nichols' motion to compel depositions (doc. # 24) and plaintiff Western World Insurance Company's motion for a protective order (doc. # 29). The court heard oral argument on the motions on October 31, 2005. Upon consideration of the motions, and as stated in open court, it is

ORDERED as follows:

1. Defendant Nichols' motion to compel production of documents (doc. # 23) be and is hereby GRANTED to the extent that the plaintiff shall produce any documents that relate to the construction of the policy exclusion for sexual acts. The motion to compel be and is hereby DENIED in all other respects.

2. Defendant Nichols' motion to compel depositions (doc. # 24) and plaintiff Western World Insurance Company's motion for a protective order be and is hereby held in abeyance pending further briefing by the parties.

3. That on or before November 14, 2005, the parties shall file any additional briefs on the issue of whether the court should allow the parties to take testimony on the construction of an insurance policy which is purely a matter of law.

Done this 3<sup>rd</sup> day of November, 2005.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF UNITED STATES MAGISTRATE JUDGE